

COUNTY OF SUFFOLK

Z-1



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SUFFOLK COUNTY EXECUTIVE
Department of
Economic Development and Planning

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Commissioner

Division of Planning
and Environment

Residences @ Oheka II Change of Zone Referral – Addendum to November 6, 2013 Staff Report

Applicant: Residences @ Oheka Castle
Municipality: Huntington
Location: w/s/o East Gate Drive, north of Colonial Drive - West Hills

Received: 9/08/2020, 9/23/2013
File Number: HU-20-06, HU-13-04
T.P.I.N.: 0400 13200 0400 007000 et al.
Jurisdiction: Adjacent to municipal boundary and within 500' of NYS Rt. 25 (Jericho Turnpike)

Overview

The petitioner has made a request of the Huntington Town Board to amend the Historic Building Overlay District to authorize an additional use for the construction and operation of a 4 story, 202,000 sf building that would contain 90 units of luxury residential condominiums. Off street parking for 225 vehicles is proposed to be provided under the residential building and courtyard/garden area of the Condominium building. Valet parking for the Oheka Castle conducted on the proposed building location is intended to be moved closer to the "Castle" on a regraded section of hillside and contain 281 parking spaces on grass pavers. The Historic Building Overlay District permits the Town Board to approve a new use for a historic property pursuant to section 198-42.1 of the Town Zoning Law and would require a special exception and use permit. The proposed condominium building may also require a height variance as top of building elevation is restricted to a 35 foot limit.

The subject development site is 21.95 acres in size and located on the west side of East Gate Drive, in the hamlet of West Hills. Access to the proposed condominium building is intended from East Gate Drive. Prior iterations of development on this property included the Cold Spring Country Club properties as part of a 193.72 acre project site. The last development proposal prior to this one included the Oheka Castle (a hotel & conference center) and a 190 unit condominium building. The Suffolk County Planning Commission reviewed and approved the prior change of zone and site plan referrals (see attached staff reports and SPCPC resolutions). It is important to note that Country Club properties are no longer part of this current application.

On site storm water runoff and drainage is proposed to be handled by new catch basins and leaching pools on site.

Public water is to be supplied by the South Huntington Water District and will require a new public water main to service the development.

Environmental conditions and constraints on site remain the same as detailed in the supplemental data section of the 2011 staff report. It is worth reiterating that the subject property contains steep slopes running north to south roughly center of the subject site. In addition, it is important to note that the property is situated above the west Hills SGPA.

Analysis:

SUFFOLK COUNTY PLANNING COMMISSION GUIDELINE CONSIDERATIONS:

The Suffolk County Planning Commissions has identified six general Critical County Wide Priorities and include:

1. Environmental Protection
2. Energy efficiency
3. Economic Development, Equity and Sustainability
4. Housing Diversity
5. Transportation and
6. Public Safety

These policies are reflected in the Suffolk County Planning Commission Guidebook (unanimously adopted July 11, 2012). Below are items for consideration regarding the Commission policies:

The subject property is a developed and disturbed property in terms of the naturally occurring biological carpet on site. No significant vegetation and wildlife concerns are noted. With respect to groundwater it is observed however, that the subject site is located over a Special Ground Water Protection Area known as the West Hills SGPA. The proposed unit density of the condominium structure and the projected sanitary waste water flow detailed in the submitted Environmental Assessment Form (EAF) from the Town of Huntington to the Suffolk County Planning Commission of 57,150 gallons per day (gpd) is not considered by the applicants to be treatable via individual on site sanitary systems. It is proposed by project sponsors, to connect the new condominium building and the Oheka Castle building (25,875 gpd) to the Nassau County Sewer system to handle the wastewater flow, which would require a pump station (on site) and force main (along west gate drive to Jericho Turnpike) to be constructed. The applicant is also considering constructing an onsite sewage treatment plant if connection to the district is not a viable option. The Long Island Comprehensive SGPA Plan identifies a tradeoff between recharge quantity and quality and recommends that open space areas, where developed, transfer and cluster development density and use public sewers to dispose of wastewater outside of the SGPA. The Town of Huntington in Part 2 of the EAF submitted to the Suffolk County Planning Commission notes that the projects public sewer line should also be connected to Oheka Castle and that connection to the new sewage treatment system as a result of this development should be a condition of zone change approval.

Submitted materials to the Suffolk County Planning Commission indicate that the site plan provided with the application shows that the base of the new building will be approximately 40-45 feet lower than the base of Oheka Castle. This may be due to the existing topography. However, it is not clear how much alteration of slopes and hence the storm water drainage pattern will be altered. Moreover, Section D.2 of Part 1 of the Submitted EAF indicates that no excavation or mining during construction is included in the proposed action. Yet, grading and excavation work necessary to flatten the portions of the hillside that will be developed and to

place a parking garage underneath the new building would require significant cut and fill work. Best management practices dictate that all cut and fill material remain on site and avoid “mining” as a collateral consequence of site development. Eighteen wheel motor-vehicle truck traffic to and from the site would increase depending on the amount of material to be hauled off site. This was not investigated in the prior Traffic Impact Analysis. The issue of out-hauling excavated material should be further investigated prior to final approval. In addition, the Huntington Town Steep slope Conservation Law (Article X of the Zoning Code) would add particular site requirements to the development and should be closely reviewed.

The referral to the Suffolk County Planning Commission from the Huntington Town Board contains minimal reference to energy efficiency.

There is no discussion in the referral material from the Huntington Town Board to the Suffolk County Planning Commission on housing diversity in the West Hills area. In addition, there is no mention in the referral of the application of the Residences at Oheka II from the Huntington Town Board to the Suffolk County Planning Commission addressing the New York State Long Island Workforce Housing Act and this projects contribution to the provision of affordable housing in the Town of Huntington.

Prior residential development proposals for the Oheka and Cold Spring Country Club properties featured traffic flow that was able to be routed to East Gate Drive because of the support of the Cold spring Country Club. The Club was adding some of its land to the project to give it direct access to East Gate Drive. Access across County Club property is no longer permitted and access may have to be changed to West Gate Drive unless access rights across the property can be secured. West Gate Drive provides entry to and exit from the detached residential subdivision to the south of the subject property via an unusual diagonal intersection with Jericho Turnpike (NYS Rte. 25) at the same intersection as Avery Road/ County Line Road, and slightly offset from the intersection of Jericho Turnpike with Plainview Road. The addition of the proposed project’s motor vehicle trip generation to this traffic pattern may have an impact on transportation. The impact to this intersection should be the subject of a Traffic Impact Analysis (TIA) submitted to the NYS DOT.

There is little discussion in the referral materials from the Town of Huntington to the Suffolk County Planning Commission on public safety and universal design.

Staff Recommendation:

Approval of the Residences at Oheka II referral from the Huntington Town Board for a change of zone and special exception approval for the construction of a 4 story residential condominium building and associated site improvements **with the following comments:**

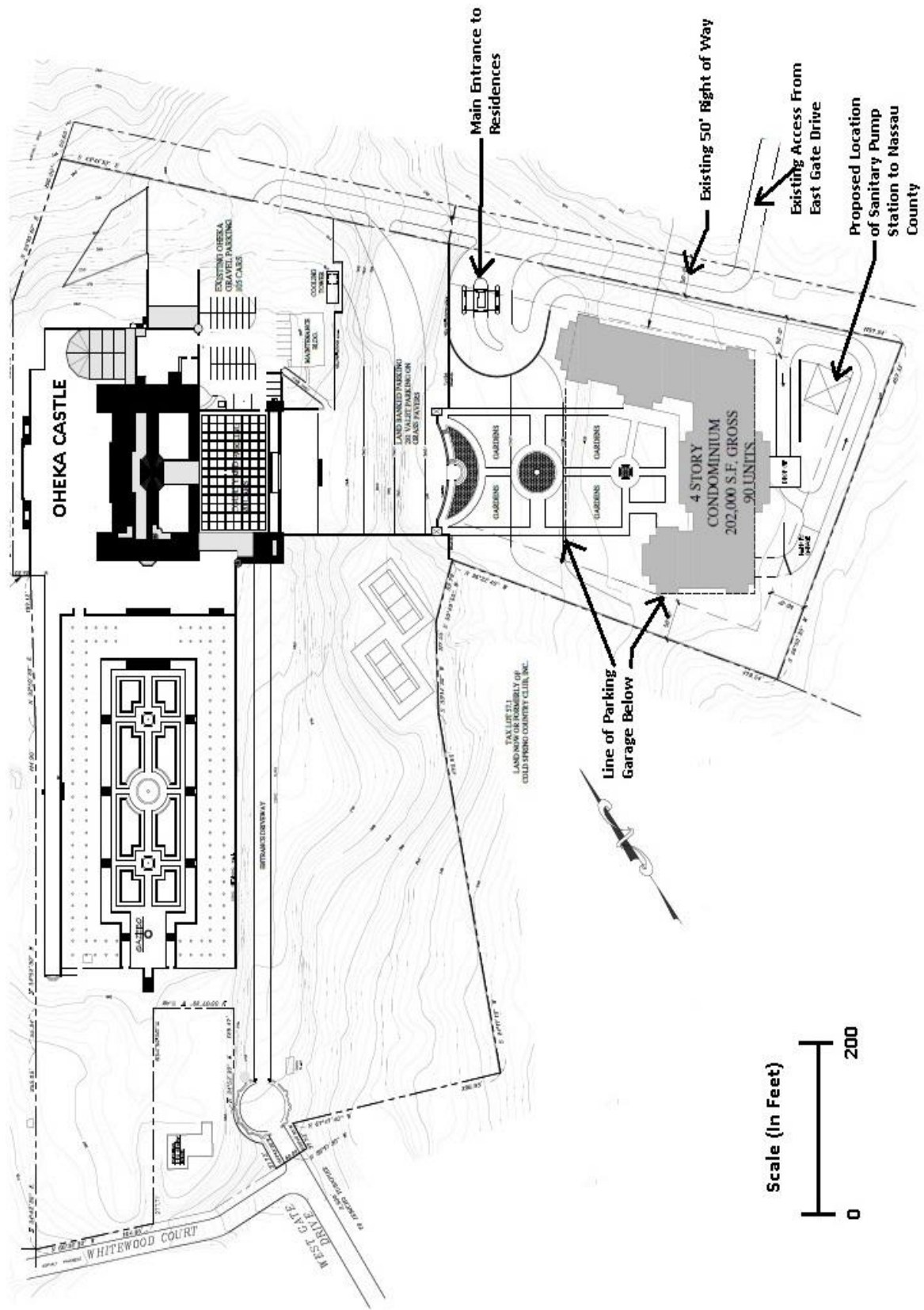
1. The petitioner should continue dialogue with the Suffolk county Department of Health Services and the Nassau County Sewer District to determine the method of waste water treatment.
2. Regardless of the method of waste water treatment the projects public sewer line should also be connected to Oheka Castle and that connection to the new sewage treatment system as a result of this development should be a condition of zone change approval.
3. No preliminary or final approval should be granted until unit yield and density, particular to sanitary waste disposal treatment methodology and remediation of nitrogen effluence to the groundwater table, is established by the SCDHS pursuant to Memorandum 17 of

the SCDHS. Continued dialogue with the Suffolk County Department of Health Services and Suffolk County Department of Public Works is necessary as soon as possible Suffolk County has developed a plan, based on sub-watershed analysis, that addresses through various means of innovative alternative onsite waste water treatment systems (IA OWTS) and/or other methods to reduce Nitrogen input into surface waters. Nitrogen loads of the project should be calibrated (through waste water treatment infrastructure and/or other means) to generate less nitrogen output than what would otherwise be produced by the current land use or conventional development of the subject property. It is the belief of the Suffolk County Planning Commission that as there is still significant discussion between the Applicant and the SCDPW/SCDHS as to sanitary flow, location and type of sanitary system, and location of sanitary leeching areas.

4. No preliminary or final approval should be granted until a fertilizer management plan and an integrated pest management plan is submitted to the Town of Huntington and approved by the SCDHS, et.al. A management plan is necessary to factor in nutrient (particularly Nitrogen) and pesticide/herbicide loads from golf course maintenance to be in accordance with best management practices to preserve groundwater and surface water integrity.
5. Off street parking for 225 vehicles is proposed to be provided under the residential condominium building and under its courtyard/garden area. Best management practices dictate that all cut and fill material remain on site and avoid “mining” as a collateral consequence of site development. In addition, the Huntington Town Steep slope Conservation Law (Article X of the Town Zoning Law) would add particular site requirements to the development and should be closely reviewed.
6. Motor-vehicle truck traffic to and from the site would increase depending on the amount of material to be hauled off site. This was not investigated in the prior Traffic Impact Analysis. The issue of out-hauling excavated material should be further investigated prior to final approval.
7. The Town of Huntington should require that the applicant provide an amended and/or supplemental Traffic Impact Analysis (TIA) that addresses the revised map and access to West Gate Drive
8. The petitioner should be encouraged to review the Suffolk County Planning Commission publication on Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein. Bio-swales, rain-gardens with native plants and shrub plantings could be particularly well integrated into the proposal.
9. The Town and the petitioner should comply with the State of New York’s Long Island Workforce Housing Act. The subject subdivision is a full yield subdivision and as such would be subject to the New York State Long Island Workforce Housing Act.
10. The petitioner should be encouraged to review the Suffolk County Planning Commission Guidebook particularly with respect to energy efficiency and incorporate where practical, elements contained therein applicable for residential and clubhouse components of the proposal.

11. The petitioner should review the Planning Commission guidelines particularly related to public safety and universal design and incorporate into the proposal, where practical, design elements contained therein.
12. The petitioners should explore with the relevant jurisdictions enhancing pedestrian access to transit. The Suffolk County Planning Commission noted in their prior (COZ) deliberation the location of the Cold Spring Harbor Long Island Rail Road Station. The Commission commented that the petitioners should explore enhancing pedestrian access to transit. The commission noted that there are several entities that may need to be coordinated with in order to provide a pedestrian way to the Station. It is the belief of the Commission that the comment is still relevant to this change of zone application. There may be a possible route from East Gate Drive, across the golf course to Station Drive. Easement across the golf course would be required and considerations for active play and pedestrian safety should be considered.

Annotated Site Plan



Town of Huntington - Suffolk County, New York



SCRP TAXMAP BASE, 2020
 Application: Residences at Ohoka II
 0400 18800 0100 025001
 SCRP No.: HU-20-06
 Date: 09/22/2020



1 inch = 800 feet

A vertical scale bar labeled "Feet" with markings at 0, 800, and 1,600.